

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

JUL 1 2022

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: ANTHONY SCOTT  
LEVANDOWSKI,

Debtor.

UNITED STATES OF AMERICA, on behalf  
of the Internal Revenue Service,

Plaintiff-Appellant,

CALIFORNIA FRANCHISE TAX BOARD,

Plaintiff-Appellee,

v.

ANTHONY SCOTT LEVANDOWSKI,  
Debtor in Possession; OFFICE OF THE U.S.  
TRUSTEE, Trustee,

Defendants-Appellees.

No. 22-15909

D.C. Nos. 4:22-cv-02781-YGR  
4:22-cv-02783-YGR  
4:22-cv-02786-YGR  
4:22-cv-02789-YGR

Northern District of California,  
Oakland

ORDER

Before: OWENS and BUMATAY, Circuit Judges.

Appellant's emergency motion for a stay pending appeal (Docket Entry No. 7) is denied. *See Nken v. Holder*, 556 U.S. 418, 433-34 (2009); *Doe #1 v. Trump*, 957 F.3d 1050, 1058 (9th Cir. 2020).

The administrative stay from this court's June 18, 2022 order is lifted.

In addition to any other issue the parties wish to address in briefing, the parties are directed to address the basis for this court's jurisdiction over this appeal.

The unopposed motion for an extension of time to file the opening brief (Docket Entry No. 21) is granted. To the extent that appellant's motion seeks to stay appellate proceedings, the request is denied without prejudice to renewal before the panel assigned to decide the merits of this appeal.

The opening brief and excerpts of record are due August 12, 2022; the answering brief is due September 9, 2022 or 28 days after service of the opening brief, whichever is earlier; and the optional reply brief is due within 21 days after service of the answering brief. *See* 9th Cir. R. 3-3(b)

No streamlined extensions of time will be approved. *See* 9th Cir. R. 31-2.2(a)(3). Any request for an extension of time to file a brief must be made by written motion under Ninth Circuit Rule 31-2.2(b).